

1997-758

RESOLUTION

WHEREAS, it is the recommendation of the Human Services Committee to accept the Executive Committee on Child Support's recommendations that are being made after considerable deliberation, public comment and thorough review:

1. The Tribe will not adopt the Washington State Guidelines or Worksheets, but instead developed a set of guidelines and worksheets which reflect tribal custom and tradition in order to exercise tribal sovereignty, jurisdiction and self-governance. These guidelines and worksheets shall be adopted as the Colville Confederated Tribes' Child Support Guidelines and the Colville Confederated Tribes' Child Support Worksheet. Parties in prior child support cases that have been established through tribal court shall have the opportunity to modify their obligations to reflect the changes brought about by the adoption of said guidelines and worksheets. Parties that wish to have their Washington State court order registered with the tribal court shall also have the right to modify their child support obligations per the adoption of these forms.
2. The Tribe will not adopt the Washington State Child Support Schedule, but instead developed a schedule which more accurately reflects the median income levels of the reservation which are lower than state income levels. This schedule shall be adopted as the Colville Confederated Tribes Child Support Schedule. Parties in any prior child support cases that have been established through tribal court which reflect the use of the Washington State Schedule shall have the right to modify their obligations to reflect the changes brought about by the adoption of said schedule. Parties that wish to have their Washington State child support order registered with the tribal court shall also have the right to modify their child support obligations per the adoption of this schedule.
3. The Tribe has established a Charge-Off Statute to resolve issues regarding child support arrears. Said charge-off statute shall be adopted as the Colville Confederated Tribes' Charge-Off Statute. The tribal court shall base a decision to grant partial or total charge-off of arrears owed to the custodial parent or Washington DSHS on the considerations set out in charge-off statute.

THEREFORE, BE IT RESOLVED, that we, the Colville Business Council meeting in SPECIAL Session, this 4th day of DECEMBER 1997, acting for and in behalf of the Colville Confederated Tribes, do hereby approve the recommendation of the Human Services Committee.

The foregoing was duly enacted by the Colville Business Council by a vote of 10 FOR 0 AGAINST, under authority contained in Article V, Section 1(a) of the Constitution of the Confederated Tribes of the Colville Reservation, ratified by the Colville Indians on February 26, 1938, and approved by the Commissioner of Indian Affairs on April 19, 1938.

ATTEST:


Joseph A. Pakootas, Chairman
Colville Business Council

cc: Dale Clark, Chairman, Human Services Committee
Counseling Services Administrator
Walker Arnold, Chairman, Law and Justice Committee
Law and Justice Administrator
Legislative Assistant
Executive Director
Archives
File: Tribal Court, Child Support Guidelines/Worksheets/Support Schedules/Support Charge-Off Statute

